BLM LIBRARY
88081556

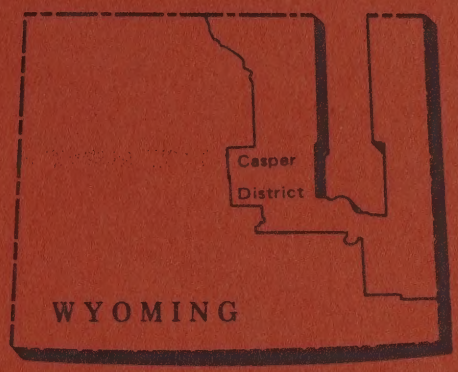
SUPPLEMENT TO

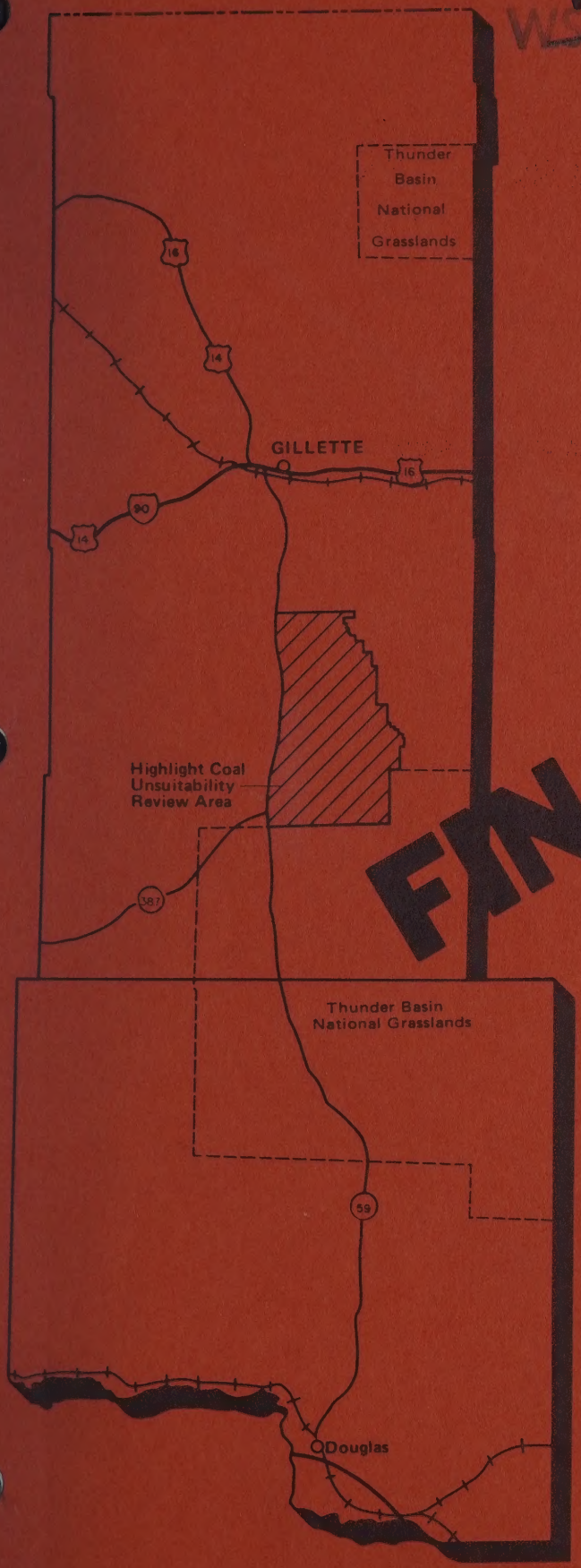
WYOMING Land Use Decisions

WSO LIBRARY

Determinations of Unsuitability for Coal Development

Eastern Powder River Basin Area
Casper District





FINAL

U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
PO 119

#15342933B4 ID: 88081556
WSO LIBRARY HD 243 .W8 P69 1979c

EASTERN POWDER RIVER MFP LAND USE DECISIONS

INTRODUCTION

This document represents a planning supplement to the 1977 Eastern Powder River Management Framework Plan (MFP). The land use planning decisions contained herein are final.

This document supplements the multiple use decisions on coal development in the Eastern Powder River Basin.

Revisions to MFP coal decisions reflect new information and are consistent with recent statutory requirements that affect coal development on federal lands. The Federal Land Policy and Management Act (FLPMA) of 1976 requires that any coal leasing be based on a comprehensive land use plan or land use analysis. The Surface Mining Control and Reclamation Act (SMCRA) of 1977, commits the Secretary of the Interior to specific planning requirements. Specifically Section 522(b) of SMCRA directs the Secretary to conduct a review of federal land to determine whether classes of federal lands should be designated unsuitable for surface coal mining operations or adverse surface effects of underground coal mining.

A principal part of the process for implementing the requirements of the federal land review mandated by SMCRA involves applying 20 coal unsuitability criteria to known recoverable coal resource areas. These criteria, developed by the Secretary, address resource considerations such as wilderness areas, scenic areas, natural and historic values, wildlife species and habitat, water resources, and alluvial valley floors. See Table 1-1 for a listing of the unsuitability criteria.

The revisions reflect both the application of the coal unsuitability criteria and multiple use considerations.

This planning supplement pertains only to the 134,000 acres in the Highlight Review area (see map, page 11) of the Eastern Powder River Planning Unit.

The Highlight Review Area was selected last year to test the unsuitability criteria in draft form. The results of the test were made available to the public and the Department of the Interior last March. Following the Secretary of the Interior's decision in June to adopt a Federal Coal Managment Program, the Department directed that the Highlight test be completed.

BLM Library
Denver Federal Center
Bldg. 85, OC-521
P.O. Box 25047
Denver, CO 80225

TABLE 1-1

Unsuitability Criteria

1. Federal land systems, i.e., National Park System, National Wildlife Refuge System, National System of Trails, and the like.
2. Rights-of-way and easements.
3. Buffer zones along rights-of- way and adjacent to communities and buildings.
4. Wilderness study areas.
5. Scenic areas.
6. Lands used for scientific studies.
7. Historic lands and sites.
8. Natural areas.
9. Federally listed threatened and endangered species.
10. State listed endangered species.
11. Bald and golden eagle nests.
12. Bald and golden eagle roost and concentration areas.
13. Falcon cliff nesting sites.
14. High interest migratory birds.
15. High interest State resident fish and wildlife.
16. Floodplains.
17. Municipal watersheds.
18. National resource waters.
19. State proposed criteria (not available at this time).
20. Alluvial valley floors.

Within the Highlight Review area, this planning supplement identifies areas acceptable for further consideration for coal leasing. The determination of unsuitability is the first step in a process which may lead to formal designations, by the Office of Surface Mining (OSM), of certain areas as unsuitable for either surface or underground coal mining. No specific sites (tracts) for coal development have been or will be identified in this planning supplement. Identification and delineation of tracts will occur at a later date.

Area Description

The Highlight Review area is located in southeast Campbell County (see map, page 11). It is bounded on the south, and a portion of the east by the Thunder Basin National Grasslands. The remainder of the east boundary corresponds with the eastern edge of the coal outcrop. The north boundary was established primarily to assure enough acreage in the review area for a fair test of the criteria. The western boundary is Highway 59 running from Reno Junction to the south to Gillette to the north. Table 1-2 summarizes the status of the Highlight Review area.

TABLE 1-2
HIGHLIGHT REVIEW AREA
CASPER DISTRICT, WYOMING

AREA STATUS SUMMARY

	Acres	(Billion) Tons
Total Highlight Review Area	134,000	---
Total High & Moderate Potential Coal	82,000	12.3
Leased and Fee Coal	18,000	2.6
Total Available Federal Coal	64,000	9.7
Highlight Oil & Gas Field (Multiple Use Trade-off Area)	26,750	4.0
Total Available Federal Coal Outside Highlight Oil and Gas Field	37,250	5.7

Revision Summary

Application of unsuitability criteria and multiple use considerations, in arriving at the proposed decisions in this planning supplement, has effected some change from our 1977 MFP Decision.

The 1977 MFP decision identified 19,200 acres with an estimated 2.2 billion tons of coal for potential coal development, subject to the findings of a regional coal environmental statement. This proposed supplement to that 1977 decision identifies 37,080 acres, with an estimated 5.7 billion tons of coal, as acceptable for further consideration for development (See summary results in Table 1-3).

The coal that lies under the Highlight Oil and Gas field, approximately 4.1 billion tons, has been deferred for development until economic recovery of the oil and gas is complete.

Definition of Area Classifications

The multiple use decisions included in this planning supplement appear in the Updated Plan section. The decisions are based on designations defined as follows:

1. Unsuitable for further consideration for coal development based on unsuitability criteria. Unsuitable areas are governed by one or more of the unsuitability criteria and are not amenable to criteria exceptions. An example would be an area that contains active bald and golden eagle nests (Criterion 11) and where disturbance during the breeding season cannot be controlled or nests cannot be moved (exceptions to Criterion 11).

2. Unacceptable for further consideration for coal development based on multiple use considerations. Unacceptable areas are exempted from coal development due to multiple-use resource considerations.

3. Acceptable for further consideration for coal development. Acceptable areas are broken down as follows:

   a. Acceptable with no likely problems--defined as areas acceptable for further consideration for coal development, which were not excluded by application of unsuitability criteria or multiple use considerations.

   b. Acceptable pending further study--defined as areas where known values exist but their relationship to the unsuitability criteria cannot be defined without further specific information.

Process

Incorporation of unsuitability criteria and development of the revised plan consisted of four discrete steps.

1. Unsuitability criteria, without exceptions, were applied to 64,000 acres of unleased, high and moderate potential federal coal.

2. Multiple use decisions from the 1977 MFP were considered to determine whether areas were acceptable or unacceptable for further consideration due to multiple use conflicts.

3. On areas which were determined to be unsuitable by criteria and acceptable by multiple use, further assessment was done through consideration of the appropriate criteria exceptions.

4. Proposed Management Framework Plan supplement decisions were then developed and summarized in a brochure for public comment.

   The decisions were framed in the following terms:

   1. Unacceptable areas based upon multiple use considerations.

   2. Acceptable areas for coal development.

   3. Acceptable areas for coal development pending study.

No areas were identified as unsuitable after exceptions were considered. Although this planning process was applied to all federal coal, no decisions were made where there was an existing coal lease. The two leases within the review area have approved mining and reclamation plans.

Public Participation and Agency Coordination

Certain of the criteria required coordination, consultation or concurrence with other federal and state agencies. Contacts were initiated in December 1978 and are continuing.

A draft summary of the results of the test of the draft unsuitability criteria was distributed to the public for review and comment on March 9, 1979. A public meeting was held on March 28, 1979 in Gillette, to explain the process and the results of the application to the public. Prior to and after the public meeting, one-on-one meetings were held with various interested energy companies, landowners, and city and county officials.

The public (governmental agencies, organizations, and industry) expressed concern over the short time frame for their participation in the test. The Governor of Wyoming questioned the adequacy of the inventory data, the level of consultation with the state, and the application of the draft criteria. Industry challenged the total process with respect to their involvement, economic considerations, and multiple use priorities (i.e., coal versus other resource values). The Sierra Club questioned the legality of the process, the Wyoming Outdoor Council was concerned with over-application of the exceptions, and land or surface owners were concerned with the impact of the federal determinations on adjacent private lands.

Comments on the test were forwarded through channels to the Secretary of the Interior and were considered with comments on similar tests in other Districts and states. The Secretary made a decision on each of the 24 unsuitability criteria originally identified in the "preferred program," as described in the Final Environmental Statement on a Federal Coal Management Program issued last April. For a complete description of the Secretary's decision and the factors which influenced it, see the "Secretarial Issue Document," Volumes 1 and 2, of June 1, 1979.

Following the Secretary's decision in June, BLM was directed to develop final decisions for further coal development consideration in the Highlight Review area and complete the Highlight planning supplement. Proposed decisions were developed and presented for discussion at a public meeting on July 25, 1979 in Gillette. A public hearing was held on the same date in Gillette to obtain official, recorded testimony, primarily from persons who believed they might be adversely affected by the proposed land use decisions.

Discussion at the public meeting involved methods of data collection and the method of determining the Highlight Review area boundaries. There were no recommendations for changes in the planning proposals.

Four individuals testified at the public hearing. They represented: Texas Energy Services, Inc.; WYMO Fuels; Morrison-Knudsen, consultant to WYMO Fuels; and, the Powder River Basin Resource Council. The testimony did not contain information to change the planning proposals.

UPDATED EASTERN POWDER RIVER PLAN

The revision to the existing multiple use decision for coal development is listed below with rationale. The identified acceptable areas may be considered for coal development.

Multiple Use Decision

1. Unacceptable areas based upon multiple use considerations. Coal development within the Highlight Oil and Gas field, as shown on the multiple use decision map, page 11, will be postponed until economic recovery of the oil and gas is complete. This includes about 27,000 acres with some 4.1 billion tons of estimated coal reserves.

2. Acceptable areas for further consideration for coal development. Acceptable areas, determined from application of the unsuitability criteria, as well as multiple use considerations, will be given further consideration for coal development. These are displayed on the multiple use decision map and include about 15,000 acres with some 2.2 billion tons of estimated coal reserves.

3. Acceptable pending further study. From application of the unsuitability criteria, as well as multiple use considerations, areas were determined to be "acceptable pending further study." These are also displayed on the multiple use decision map. Specifically, areas A, B, C, and D need further study of possible alluvial valley floors. Area B also needs further study to delineate sage grouse strutting and nesting grounds. This category includes about 21,950 acres with some 3.3 billion tons of estimated coal reserves.

The above acceptable area categories total about 37,250 acres with some 5.7 billion tons of estimated coal reserves. They would be subject to the following if the Secretary decides new coal leasing is necessary:

a. delineation of alluvial valley floors (areas A, B, C, and D);

b. wildlife studies (area B);

c. tract delineation, ranking, and selection;

d. findings of an environmental assessment.

Rationale

There is no need to create conflict over development of different energy minerals because of the vast quantities of coal available for development within the review area. This view is consistent with the 1977 MFP decision which was supported by comments from the oil and gas industry and the general public.

No areas were determined to be unsuitable for coal development after applying both the unsuitability criteria and the exceptions to the criteria. However, as noted under part 3 of the decision, some areas require further study.

SUMMARY RESULTS

The summary results of the application of the coal unsuitability criteria and multiple use considerations are shown in the following table.

TABLE 1-3

	Acres	% of Total Acres	Tons (Billions of tons)	% of Total Coal
Unsuitable by Criteria*	0	0	0.0	0
Unacceptable by Multiple Use	26,750	42	4.0	42
Acceptable by Criteria**	37,250	58	5.7	58

* Outside Highlight oil and gas area only.
** Includes acceptable and acceptable pending study.

1977 Coal Planning Decisions for East Powder River MFP

The 1977 multiple use decisions for coal development in the Eastern Powder River Basin, which this document supplements, are as follows:

1. Potential Coal Lease Areas.

Subject to the findings of a regional coal environmental statement, BLM will propose a coal leasing schedule through 1983 for 26,500 acres of federal coal reserves containing about 3 billion tons of coal.

The coal to be analyzed for potential leasing falls into two categories:

a. Uncommitted economic coal that BLM has identified for potential new leasing.

b. Economic coal reserves tied closely to existing operations or mining plan proposals subject to BLM decisions within the next five years.

Category 1 contains approximately 19,200 acres and 2.2 billion tons of identified economic coal reserves. These areas are located in southeastern Campbell County and a small portion of northeastern Converse County. The legal description of the areas in category 1 are as follows:

T. 41 N., R. 69 W.,
part of: Sec. 18.
T. 41 N., R. 70 W.,
part of: Secs. 1,2,3,4,5,7,8,9,10,11,17,18,21,27,28,29,30,33,34.
T. 41 N., R. 70 W.,
all of: Secs. 6,19.
T. 42 N., R. 69 W.,
part of: Sec. 19.
T. 42 N., R. 70 W.,
part of: Secs. 8,9,13,27,28.
T. 43 N., R. 70 W.,
part of: Secs. 4,5,7,8,18,30,32,33.
T. 43 N., R. 70 W.,
all of: Secs. 9,19,29,31.
T. 44 N., R. 70 W.,
part of: Secs. 3,4,5,8,9,10,17,21,22,26,27,33,34,35.
T. 45 N., R. 70 W.,
part of: Secs. 18,21,22,27,29,33,34.

Category 2 contains approximately 7,300 acres with an estimated 800 million tons of coal. These areas range from northcentral Campbell County south to the Campbell-Converse County line. These areas will be analyzed for leasing through 1983 because they are either associated with coal reserves included in existing operations or were previously committed to development and involved in mining proposals subject to decisions under the Department's short term criteria leasing policy. The legal description of the areas in category 2 are as follows:

T. 40 N., R. 71 W.,
Sec. 2, NE¼, E½W½, SE¼SW¼, N½SE¼.
T. 41 N., R. 70 W.,
Sec. 20, E½, E½W½;
Sec. 21, N½NE¼, SW¼NE¼, W½, N½SE¼, SE¼SE¼;
Sec. 28, W½NE¼, W½, S½SE¼;
Sec. 29, N½, NW¼SW¼, N½SE¼.
T. 41 N., R. 71 W.,
Sec. 27, S½SW¼, SW¼SE¼;
Sec. 28, SE¼SE¼;
Sec. 34, SE¼NE¼, NE¼SE¼;
Sec. 35, W½SW¼, SE¼SW¼.
T. 47 N., R. 71 W.,
Sec. 5, NW¼NW¼, S½NW¼, SW¼;
Sec. 6, All.
T. 47 N., R. 72 W.,
Sec. 1, E½NE¼.
T. 48 N., R. 71 W.,
Sec. 29, W½;
Sec. 30, All;
Sec. 31, N½, S½SW¼.
T. 51 N., R. 72 W.,
Sec. 1, NW¼NW¼, S½NW¼, SW¼;
Sec. 2, NE¼, N½NW¼, SE¼NW¼;
Sec. 3, N½NE¼;
Sec. 12, N½NW¼, SW¼NW¼,
T. 52 N., R. 72 W.,
Sec. 27, E½NW¼;
Sec. 29, S½S½;
Sec. 32, N½;
Sec. 34, SE¼NE¼, E½SE¼, NE¼SW¼;
Sec. 35, E½, E½SW¼, NW¼SW¼.
T. 52 N., R. 73 W.,
Sec. 3, W½NE¼, SE¼NW¼, NE¼SW¼, NW¼SE¼.
T. 54 N., R. 72 W.,
Sec. 2, NE¼NE¼.

This decision will be the proposed action to be analyzed in the environmental statement (ES) for the Eastern Powder River Basin. The ES will assess the site-specific effects of coal development proposals requiring BLM action through 1983 and the cumulative effects of coal development on the region up to 1990. The ES should be completed in 1978.

Rationale: An estimated 15 billion tons of federal coal have been committed to development within the planning unit. Specifically, in identified economic reserves, there are: 33 leases embracing 78,000 acres and about 8.7 billion tons of coal; 10 preference right lease applications for 10,000 acres and about 2.3 billion tons of coal.

In addition, there are 11 leases, 37 preference right applications and 12 prospecting permit extension applications outside identified economic reserves, but within the planning unit and covering another 123,000 acres. Development potential and tonnages are uncertain, but some will be developed due to individually favorable economic factors. There are large quantities of federal coal committed to development outside this planning unit, but within the Casper District.

Currently leased coal in the unit could probably support 19 mines, which could produce about 190 million tons a year by 1985. It is estimated that all of the "committed coal," i.e., current leases, preference rights plus prospecting permit extension applications, could support as many as 46 mines. (An average mine is assumed to include a coal reserve of 350 million tons being mined over a 40-year period involving a total of 3,500 surface acres.)

Socioeconomic impact and uncertainty about water and transportation caution against a large scale increase in federal coal leasing in the immediate future. This is supported by public comment, Planning Area Analysis, other sections of the MFP and other studies and reports. However, some of the existing leases and preference rights may not be logical mining units from either the environmental or economic standpoint. Also, new environmental standards may prove too costly to produce coal on some tracts. Offering additional high quality coal for lease in areas with few environmental and resource conflicts would help to alleviate such problems.

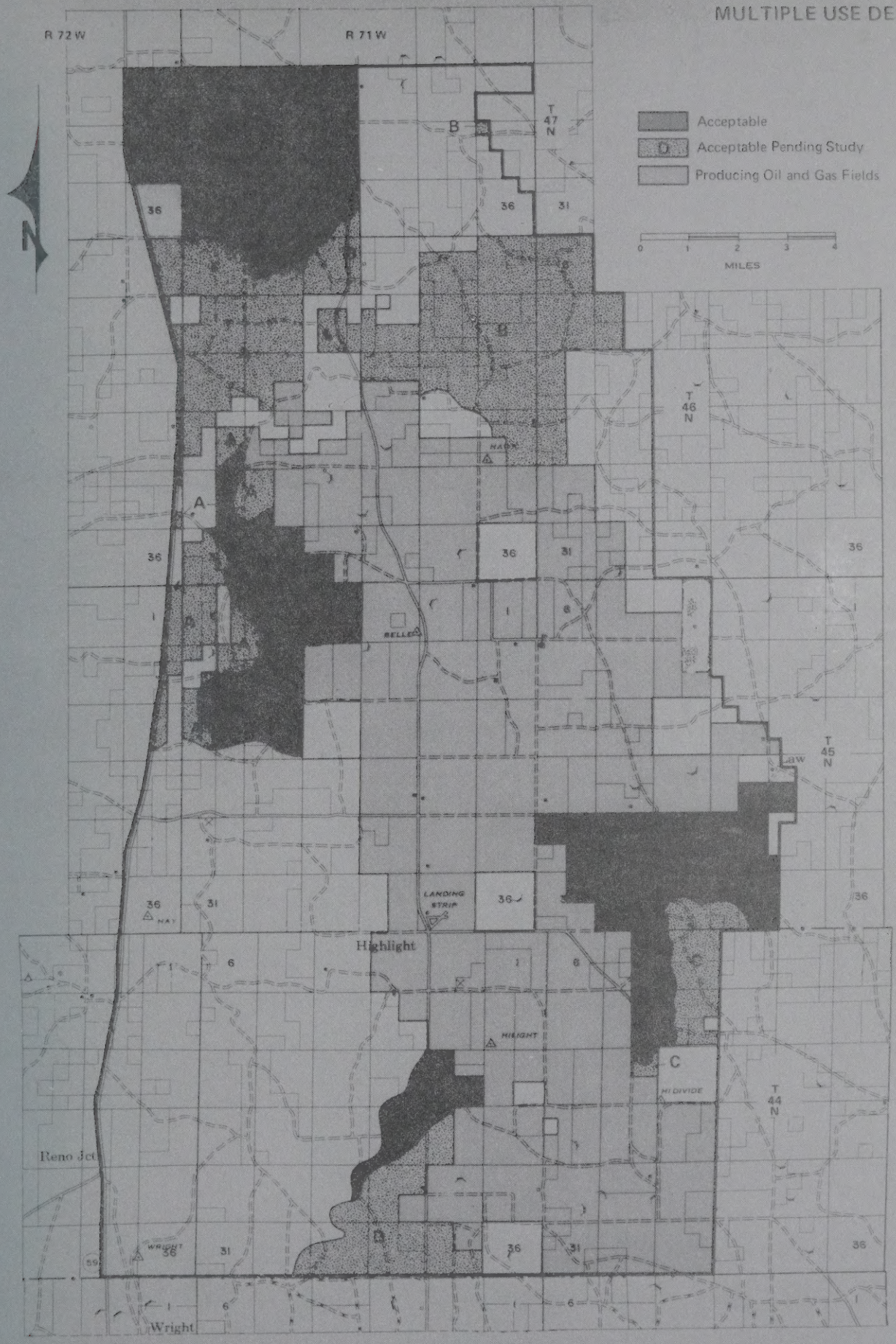
Socioeconomic impacts are a major concern in both this area and adjacent planning areas. Some local government planners and many citizens have recommended a "go slow" approach to new coal leasing to allow communities time to better accommodate the social and economic effects of coal development. The Wyoming Department of Agriculture has recommended no additional coal leasing through 1983.

On the other hand, several interests have recommended unlimited leasing. The planning decision attempts to strike a balance between the various recommendations. Areas identified for coal leasing through 1983 were selected with social and economic impacts foremost in mind. The areas are roughly halfway between Douglas and Gillette. They are in the vicinity of the new community of Wright, which developers claim should be able to accommodate about 6,000 people by 1985--the earliest the new coal leases could be developed.

The area around Gillette, identified for no coal development, would remain closed. Surface values for community expansion, open space and a buffer zone exceed present mineral values, considering the extent of known economic coal reserves in the planning unit.

All tracts identified in the planning decision lie in or adjacent to areas proposed for development or in which interest has been expressed. Major conflicts with other resource values--such as the oil and gas fields--were eliminated from the tracts identified for possible leasing. Also, much of the area suitable for leasing has the least wildlife impact in Campbell County, as indicated by the Wyoming Game and Fish Department.

The decision deletes 128,000 acres of economic coal reserves, proposed for development because of significant resource management values and potential environmental and socioeconomic impacts. Also, demand or need for more coal than the decision represents has not been demonstrated.


R 72 W
R 71 W
T 47 N
T 46 N
T 45 N
T 44 N
Acceptable
Acceptable Pending Study
Producing Oil and Gas Fields
0 1 2 3 4
MILES
A
B
C
D
Highlight
Reno Jct
Wright
LANDING STRIP
HI DIVIDE
BELLE
HAY
WRIGHT